

APPEAL NO. 170203
FILED MARCH 29, 2017

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on December 12, 2016, in (city), Texas, with (hearing officer) presiding as hearing officer. The hearing officer resolved the disputed issues by deciding that: (1) the compensable injury of (date of injury), extends to post-traumatic stress disorder (PTSD); (2) the respondent (claimant) has not reached maximum medical improvement (MMI); and (3) since the claimant has not reached MMI, an impairment rating (IR) cannot be assigned. The appellant (carrier) appeals the hearing officer's determinations of MMI and IR as well as the determination that the compensable injury extends to PTSD. The carrier contends that the claimant did not provide sufficient causation to establish that PTSD is part of the compensable injury. The carrier contends that the claimant reached MMI on November 4, 2015, with a five percent IR as determined by the designated doctor. The appeal file does not contain a response from the claimant.

DECISION

Affirmed as reformed.

The parties stipulated that on (date of injury), the claimant sustained a compensable injury in the form of generalized anxiety disorder, stress, depression, shortness of breath, and shingles. The claimant testified she was working for employer when the business was robbed by two masked gunmen. The carrier correctly notes in its appeal that the hearing officer mistakenly stated in the evidence presented section of her decision that the carrier had no witnesses. A review of the record reflects that (Dr. B) testified on behalf of the carrier. We reform the hearing officer's decision to reflect that Dr. B testified for the carrier.

EXTENT OF INJURY

The hearing officer's determination that the compensable injury of (date of injury), extends to PTSD is supported by sufficient evidence and is affirmed.

MMI

The hearing officer's determination that the claimant has not reached MMI is supported by sufficient evidence and is affirmed.

IR

The hearing officer's determination that because the claimant has not reached MMI, an IR cannot be assigned at this time is supported by sufficient evidence and is affirmed.

The true corporate name of the insurance carrier is **FEDERAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
1999 BRYAN STREET, SUITE 900
DALLAS, TEXAS 75201-3136.**

Margaret L. Turner
Appeals Judge

CONCUR:

K. Eugene Kraft
Appeals Judge

Carisa Space-Beam
Appeals Judge